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Message Text

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ORIGIN OES-07

INFO OCT-01 EUR-12 ISO-00 COME-00 ACDA-12 DOE-15 SOE-02
EB-08 NRC-05 TRSE-00 DODE-00 /062 R

DRAFTED BY OES/NET/EIC:DHOYLE
APPROVED BY OES/NET/EIC:DHOYLE
COMM/BTR/OEA - J NELSON
ACDA - R WILLIAMSON
DOE/ISA - I WILLIAMS
EUR/RPE - W SALISBURY
EB/EWT - BLAKEBURN (SUBS)
----------012440 220554Z /13
P 220114Z APR 78
FM SECSTATE WASHDC
TO AMEMBASSY ROME PRIORITY

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E.O. 11652: NA

TAGS: TECH, ENGR, IT

SUBJECT: LASER ANALYTICS ORDER BY CNEN

REF: ROME 4452

1. LASER ANALYTICS TUNABLE DIODE LASER SPECTROMETER (MODEL SDOL-1) OPERATING IN THE 616-629 INVERSE CENTRIMETER REGION HAS SPECIAL APPLICATION IN URANIUM ISOTOPIC SEPARATION STUDIES. AS SUCH, WHEN EXPORTED IT IS CONSIDERED TO INVOLVE DIRECTLY OR INDIRECTLY ENGAGING IN THE PRODUCTION OF SPECIAL NUCLEAR MATERIAL OUTSIDE OF THE UNITED STATES AND SUBJECT TO PROVISIONS OF TITLE 10 CODE OF FEDERAL REGULATIONS, PART 810, (10 CFR 810) AS WELL AS TO DEPARTMENT OF COMMERCE EXPORT LICENSING.
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2. TO DATE, OUR CONSIDERATION OF WHETHER OR NOT SUCH EXPORTS SHOULD BE RECOMMENDED TO SECRETARY OF ENERGY FOR AUTHORIZATION UNDER 10 CFR 810 HAS BEEN HANDLED ON A CASE-BY-CASE BASIS, WHICH MAY HAVE RESULTED IN SOME PAST INCONSISTENCIES. CURRENTLY, WE ARE ATTEMPTING TO ESTABLISH AND OBTAIN APPROVAL OF A UNIFORM POLICY IN THIS REGARD. THIS

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EFFORT INVOLVES NOT ONLY DOE, BUT ALSO STATE, ACDA, DEFENSE, COMMERCE AND NRC.

3. SOME OF THE SDL-1'S PREVIOUSLY APPROVED FOR EXPORT WERE CONDITIONED ON THE REMOVAL OF THE DIODE COVERING THE 616-629 INVERSE CENTIMETER FREQUENCY RANGE WHEN THE END USE WAS INDICATED AS BEING FOR OTHER THAN URANIUM ENRICHMENT RESEARCH. OUR RECORDS INDICATE THAT A COMMERCE EXPORT LICENSE FOR AN SDL-1 WAS REQUESTED ON BEHALF OF THE CNEN IN 1976 AND WAS ISSUED ON THE BASIS THAT IT WOULD BE MODIFIED BY SUCH REMOVAL. THE APPLICATION INDICATED THAT SDL-1 WAS TO BE USED FOR A VARIETY OF PURPOSES. IT IS NOT CLEAR WHETHER THIS EXPORT ACTUALLY EVER TOOK PLACE AND HOW THIS MAY RELATE TO THE "DEPARTMENT OF COMMERCE ORDER PROHIBITING THE EXPORT" TO WHICH SCARAMUZZI REFERS. IF CNEN WISHES TO PURSUE THIS MATTER FURTHER, IT SHOULD HAVE LASER ANALYTICS SEEK A VALIDATED EXPORT LICENSE FROM COMMERCE AND AN AUTHORIZATION UNDER 10 CFR 810 FROM THE DEPARTMENT OF ENERGY.

4. WHILE WE RECOGNIZE THAT SDL-1 DOES NOT REPEAT NOT PRODUCE SPECIAL NUCLEAR MATERIAL PER SE, IT IS HIGHLY VALUABLE ANALYTICAL TOOL IN DEVELOPING LASER ISOTOPIC ENRICHMENT SEPARATION PROCESS. GIVEN U.S. POLICIES IN REGARD TO ASSISTING OTHER COUNTRIES IN ACQUIRING SUCH SENSITIVE TECHNOLOGY, WE WOULD NOT REPEAT NOT GIVE HIGH
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ODDS FOR ULTIMATE APPROVAL OF THIS SDL-1 EXPORT. CHRISTOPHER

NNN

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